

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

KEVIN F. MULHALL,

Plaintiff,

vs.

CAROLYN W. COLVIN, Acting
Commissioner of the Social Security
Administration;

Defendant.

8:11CV441

MEMORANDUM AND ORDER

This matter is before the court pursuant to plaintiff Kevin Mulhall's request for attorney fees, Filing No. [30](#). The court previously entered judgment in favor of the plaintiff. Filing No. [28](#) and Filing No. [29](#). Pursuant to the Equal Access for Justice Act, [28 U.S.C. § 2412](#), the plaintiff is entitled to attorney fees. Plaintiff requests \$8,101.87 which represents 43.5 hours of attorney work at \$186.25 per hour. The plaintiff and defendant, however, have agreed to an award in the amount of \$7,543.13. Filing No. [32](#). The court has carefully reviewed the record and finds that such sum is fair and reasonable. The court hereby awards a fee in the amount of \$7,543.13 to be paid by the Social Security Administration. Such fee is payable directly to the plaintiff in accordance with *Astrue v. Ratliff*, 130 S. Ct. 2521 (2010). The EAJA fee is payable to plaintiff as the litigant and may be subject to offset to satisfy a pre-existing debt that the litigant owes to the United States.

THEREFORE, IT IS ORDERED that plaintiff's request for attorney fees, Filing No. [30](#), is granted. The Social Security Administration is ordered to pay to the plaintiff the sum of \$7,543.13 in accordance with this Memorandum and Order.

Dated this 25th day of June, 2013.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge